

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

QUINTIN-DEMON JONES

VS.

BRANCH M. SHEPPARD

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§

CIVIL ACTION NO. 4:22-CV-490-P

**FINDINGS, CONCLUSIONS, AND RECOMMENDATION REGARDING MOTIONS
AND RETURNING CASE TO DISTRICT JUDGE**

Pending before the Court are two motions: (1) a Motion for \$3.5 Million in Sanctions Pursuant to Rule 11 [doc. 3], filed by *pro-se* Plaintiff Quintin-Demon Jones' on June 6, 2022 and (2) a Motion to Expunge *Lis Pendens* and Request for Emergency Oral Hearing [doc. 8], filed by non-party Bank of America, N.A. on June 21, 2022. In reviewing the alleged "Complaint" filed in this case on June 6, 2022, the Court notes that it is titled "Demand to Vacate Summary Judgment Pursuant to Civ. Rule 60b(1), (3) for Lack of Jurisdiction" [1] and is not actually a Complaint. In the Demand, Jones requests that the Court vacate the judgment in a pending bankruptcy case, cause number 21-42850-ELM-13 and also mentions a foreclosure case in state court. Based on the information in the Demand, there is no evidence that this Court has jurisdiction over Plaintiff's requests as it appears that the Plaintiffs' bankruptcy case is still pending and Plaintiff has not filed a proper notice of appeal to any ruling made by the bankruptcy court. In addition, any review of a state court action in federal court is generally not allowed.¹ *See, e.g., Wuxi Taihu Tractor Co. v. York Grp., Inc.*, 460 F. App'x 357, 359 (5th Cir. 2012); *Shavers v. Shavers*, No. 1:01-cv-1(DCB)(JMR), 2007 WL 312705, at *6 (S.D. Miss. Jan. 30, 2007) ("It is firmly established that no court of the United States—other than the United States Supreme Court—can entertain a

¹ Plaintiff's complaint is titled as a "Demand to Vacate Summary Judgment Pursuant to Civ. Rule 60b(1), (3) for Lack of Jurisdiction.

proceeding to reverse, modify, or otherwise engage in appellate review of, a state court decision”); *Vinson v. Collums*, No. CIV.A. 1:99CV305-B-D, 2000 WL 33907669, at *2 (N.D. Miss. Jan. 24, 2000). Consequently, the Court **RECOMMENDS** that Plaintiff’s case be **DISMISSED** for lack of jurisdiction and that all pending motions be **DENIED**.

**NOTICE OF RIGHT TO OBJECT TO PROPOSED
FINDINGS, CONCLUSIONS AND RECOMMENDATION
AND CONSEQUENCES OF FAILURE TO OBJECT**

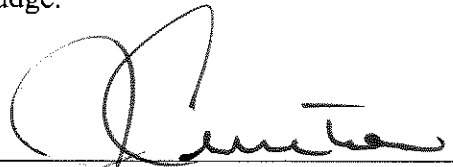
Under 28 U.S.C. § 636(b)(1), each party to this action has the right to serve and file specific written objections in the United States District Court to the United States Magistrate Judge’s proposed findings, conclusions and recommendation within fourteen (14) days after the party has been served with a copy of this document. The United States District Judge need only make a *de novo* determination of those portions of the United States Magistrate Judge’s proposed findings, conclusions and recommendation to which specific objection is timely made. *See* 28 U.S.C. § 636(b)(1). Failure to file, by the date stated above, a specific written objection to a proposed factual finding or legal conclusion will bar a party, except upon grounds of plain error or manifest injustice, from attacking on appeal any such proposed factual findings and legal conclusions accepted by the United States District Judge. *See Douglass v. United Servs. Auto Ass’n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1) (extending time to file objections from ten to fourteen days).

ORDER

Under 28 U.S.C. § 636, it is hereby **ORDERED** that each party is granted until **July 21, 2022** to serve and file written objections to the United States Magistrate Judge’s proposed findings, conclusions and recommendation. It is further **ORDERED** that if objections are filed and the opposing party chooses to file a response, the response shall be filed within seven (7) days of the filing date of the objections.

It is further **ORDERED** that the above-styled and numbered action, previously referred to the United States Magistrate Judge for findings, conclusions and recommendation, be and hereby is returned to the docket of the United States District Judge.

SIGNED July 7, 2022.



JEFFREY L. CURETON
UNITED STATES MAGISTRATE JUDGE

JLC/knv